

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 2, 2000

DIVISION ONE

B141130 Nicole R. (Not for Publication)
v.
Oscar De La Hoya, et al.

The order is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B131725 People (Not for Publication)
v.
Navarro et al.

The judgments are affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B135728 People (Not for Publication)
v.
Renteria

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

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The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B138725 People (Not for Publication)
v.
Williams-Smith

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B130946 Felix J. Watson (Not for Publication)
v.
County of Los Angeles

The matter is reversed and remanded to the trial court for calculation of interest. In respect to the denial of attorney fees, the judgment is affirmed. Appellant Watson is entitled to costs on appeal.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION TWO (Continued)

B139649 People (Not for Publication)
v.
Marvin D'Andre Amos

The judgment is modified to strike the imposition of a parole revocation fine under Penal Code section 1202.45. As modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment reflecting this modification and to send a certified copy of the amended abstract of judgment to the Department of Corrections.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

B138875 People (Not for Publication)
v.
Timothy L. Callandret

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Cooper, J.

B139861 People (Not for Publication)
v.
Ruben Guerrero

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Cooper, J.

DIVISION THREE

B131641 People (Not for Publication)
v.
West

The judgment of conviction is affirmed; the sentences on counts 2, 3 and 5 shall be stayed; the abstract of judgment shall be corrected to reflect imposition of the parole revocation fine. The trial court is directed to prepare an amended abstract of judgment reflecting these modifications and forward it to the Department of Corrections. As modified, the judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FOUR

B138196 Morey Berg (Not for Publication)
v.
California Unemployment Insurance Appeals Board

The judgment is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FOUR (Continued)

B131591 Donald Huff (Not for Publication)
 v.
 Mervyn's et al.

The judgment in favor of respondents is affirmed. The matter is remanded to the trial court which is directed to enter an order awarding costs to respondents, and determination of the amount of costs.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B138038 Marc Peart et al. (Not for Publication)
 v.
 Schering Sales Corporation

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

DIVISION FOUR (Continued)

B138953 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Guadalupe G.

Based on the record before us, we conclude that the juvenile court erred by concluding it could not grant the section 388 petition and modify the prior orders terminating reunification services by reinstating those services. That error resulted in prejudice to appellant, as it appears the court likely would have done so had it believed such an outcome permissible.

We therefore reverse the juvenile court's order denying appellant's section 388 petition and remand the matter to the juvenile court for consideration of appellant's petition in light of the views expressed here. We leave to the juvenile court the ultimate decision regarding grant or denial of the petition, recognizing that eight months will have passed since the hearing at issue was held and circumstances may now be altogether different.

Our disposition makes it necessary to address appellant's other contentions regarding the termination of her parental rights as to Destiny, although obviously that order must be reversed in light of the error regarding the section 388 petition.

Vogel (C.S.), P.J.

We concur: Hastings, J.
 Curry, J.

DIVISION FIVE

Court convened at 8:00 A.M.

Present: Grignon, Acting P.J., Godoy Perez, J., Weisman, J. (Assigned) and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

Each of the following:

B135290 People v. Tran
B139225 People v. Victor Mayorga
B138221 People v. Gilbert Hernandez

Argument waived, cause submitted.

B142777 Artis Ivey
 v.
 Superior Court, Los Angeles County
 (Shelita W., r.p.i.)

Appearances:
Leonard J. Meyberg for petitioner. No appearance for respondent or real party in interest. Attorney Meyberg waived argument. Cause submitted.

B142822 J.C. Penney Company, Inc.
 v.
 Superior Court, Los Angeles County
 (Megan Liberty et al., r.p.i.)

Merits:
Argued by Thomas Joseph Griffin for petitioner and by James D. Gustafson for real parties in interest. Cause submitted.

B143330 Gil Garcetti
 v.
 Superior Court, Los Angeles County
 (Paul Marentz, r.p.i.)

Merits:
Argued by Fred Klink, deputy district attorney, for petitioner and by Jack T. Weedon, deputy public defender, for real party in interest. Cause submitted.

Court recessed at 9:00 A.M.

DIVISION FIVE (Continued)

Court reconvened at 9:10 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and J. Belcher, Deputy Clerk.

Each of the following:

B138855 People v. Underwood
B139172 People v. Rudloff
B138801 D.C.F.S. v. Santos K.
B140037 D.C.F.S. v. Trena H.
B139073 People v. Anthony M.
B138157 People v. Quesenberry
B140264 D.C.F.S. v. Camille D.
B139203 D.C.F.S. v. Anthony M.
B142547 Toni R. v. S.C.L.A. (D.C.F.S.)

Argument waived, cause submitted.

B140236 Jose Alvarado
 v.
 Photo Scan Systems

Appearances:

Mayer Lifschitz for appellant and Mark H. Herskovitz for respondent. Both counsel waived argument. Cause submitted.

B125601 Jehan Mir
 v.
 Charter Alvarado Behavioral Health Systems, Inc. et al

Merits:

Argued by Alexander Kirkpatrick for appellant and by Dawn Cushman for respondents. Cause submitted.

DIVISION FIVE (Continued)

B134461 People
 v.
 David Gardner

Merits:
Argued by Charles M. Sevilla for appellant and by Marc J. Nolan, deputy attorney general, for respondent. Cause submitted.

B138164 People
 v.
 David Pichon

Merits:
Argued by Edward A. Whipple for appellant and by David A. Wildman, deputy attorney general, for respondent. Cause submitted.

B126898 Shawky Saad
 v.
 Gamal Habib et al

Merits:
Argued by Lance Haddix for appellant. Counsel for respondent waived argument. Cause submitted.

B136785 Jorge Uribe Jr.
 v.
 Atlas Turner et al.

Merits:
Argued by Alan Brayton for appellant and by Maria Rivas Hamar for respondents. Cause submitted.

The court recessed at 10:55 A.M.

October 2, 2000-Continued

DIVISION FIVE (Continued)

The court reconvened at 11:00 A.M.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

Each of the following:

B137015 People v. Mosby
B135044 People v. Jones
B135347 People v. Keys
B140327 People v. Madison
B138689 People v. Sloan
B139422 People v. Sotelo
B139492 D.C.F.S. v. Jon H.

Argument waived, cause submitted.

B133011 John Zentner
 v.
 Farmers Group, Inc.

Merits:

Argued by Michael Francis Mills for appellant and by Daniel J. Gonzalez for respondent. Cause submitted.

The court recessed at 11:15 A.M.

Court reconvened at 1:00 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J. and J. Belcher, Deputy Clerk.

DIVISION FIVE (Continued)

B132305 Juana Luviano et al.
v.
City of Pasadena

Merits:

Argued by Andrew N. Chang for appellants and by Daniel P. Barer for respondent. Cause submitted.

B139850 Morris Yip
v.
The Dentists Insurance Company

Merits:

Argued by James T. Hudson for appellant and by Suzanne Victoria Wilson for respondent. Cause submitted.

B128791 Jeffrey Graber
v.
Litton Guidance & Control Systems

Merits:

Argued by Steven F. McAndrew for appellant and by James Leonard Brown for respondent. Cause submitted.

The court adjourned at 2:10 p.m.

DIVISION SIX

B138179 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SIX (Continued)

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The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B138492 People (Not for Publication)
v.
Hiller

The judgment (order) is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.